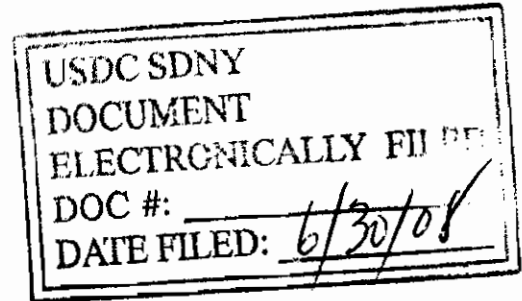


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June 27, 2008

BY FAX ONLY: 212-805-7941

The Hon. Loretta A. Preska
United States District Judge - SDNY
500 Pearl Street
New York, NY 10007

Re: Vie Luxe Int'l, et al, v. Daniel Benedict, et al. 08 CV 5023 (LAP)
PRELIMINARY INJUNCTION HEARING SCHEDULED FOR JULY 21, 2008

Dear Judge Preska:

I am writing to request a rescheduling of the July 21, 2008 hearing date in the above captioned matter to July 23, 2008 at 10:30am. I have spoke to opposing counsel and co-defendant Brown who are amenable to the date change. The reasons for this request are as follows:

After oral argument the other day the Court set down July 21st as the date for the Preliminary Injunction hearing. Because the US Marshal's did not allow me to carry my Blackberry and electronic calendar into the courthouse I was not able to double check my calendar to assure my availability. I was mistaken in my beliefs and I actually do not arrive back in New York from overseas until that same day and therefore cannot be available for the hearing as presently scheduled.

Upon realizing the error, my office immediately reached out to both opposing counsel and co-defendant Brown and the July 23rd date has been proposed as an acceptable alternate date should the Court permit the change.

I apologize for any inconvenience this may cause and hope that under the circumstances the Court can accommodate this request.

Sincerely,

Michael Kennedy
Michael Kennedy, Esq.

cc: BY FAX: 212-480-8421
Julia C. Spivaack, Esq.
Seward & Kissel LLP
One Battery Park Plaza
New York, New York 10004

June 29, 2008

SO ORDERED

Loretta A. Preska
LORETTA A. PRESKA
UNITED STATES DISTRICT JUDGE